

Message Text

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PAGE 01 MEXICO 03384 230117Z

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ACTION ARA-20

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FM AMEMBASSY MEXICO

TO AMERICAN BATTLE MONUMENTS COMMISSION WASHDC

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E.O. 11652: N/A

TAGS: OGEN, MX

SUBJECT: AMERICAN CEMETERY DEVELOPMENTS

1. ON INSTRUCTIONS FROM FOREIGN SECRETARY RABASA, UNDERSECRETARY OF FOREIGN RELATIONS GALLASTEGUI ASKED AMBASSADOR TO MEET WITH HIM ON APRIL 19 TO DISCUSS CEMETERY MATTER. GALLASTEGUI SAID THAT FOREIGN SECRETARY UNDERSTOOD BULLDOZERS SET TO MOVE IN ORDER COMPLETE THE CIRCUITO INTERIOR PROJECT AND THAT CEMETERY PROBLEM HAD TO BE SETTLED EXPEDITIOUSLY TO PERMIT WORK TO PROCEED. RABASA REPORTEDLY CONCERNED BY POSSIBILITY THAT MEXICAN PUBLIC OPINION COULD BE INFLAMED IF DELAY IN PROJECT WERE TO BE ATTRIBUTED TO A US "MILITARY" CEMETERY, WHOSE PRESENCE IS SOLELY RESULT OF MEXICAN-AMERICAN WAR.

2. GALLASTEGUI SAID IT HAD BEEN CONCLUDED THAT MEXICAN CONSTITUTION, WHICH RESTRICTS LAND OWNERSHIP BY FOREIGN GOVERNMENTS, PRECLUDED GOM FROM PROVIDING ALTERNATE SITE AND, CONSEQUENTLY, POSSIBLE COURSES OF ACTION WERE LIMITED IN NUMBER. ACCORDING TO GALLASTEGUI, GOM COULD ACQUIRE STRIP OF LAND IT NEEDS FOR CIRCUITO PROJECT BY PURCHASE FROM USG OR EXPROPRIATION AND WE COULD STAY ON AT THE PRESENT SITE, BUT WITH LESS SPACE. ALTERNATIVELY, GOM WOULD BE WILLING PURCHASE THE ENTIRE PARCEL AND USG COULD TAKE ANY ACTION IT WISHED REGARDING CEMETERY. TWO POSSIBILITIES MENTIONED BY GALLASTEGUI WERE TO MERGE ABMC OPERATION WITH AMERICAN BENEVOLENT

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PAGE 02 MEXICO 03384 230117Z

SOCIETY CEMETERY IN TACUBA OR TO RETURN REMAINS TO US.

3. AMBASSADOR STRESSED FACT THAT CEMETERY HAD BEEN IN TRANQUIL OPERATION FOR OVER 120 YEARS AND THAT IT SERVES AND CAN CONTINUE TO SERVE AS A SYMBOL OF THE PEACEFUL RELATIONS BETWEEN TWO FORMERLY BELLIGERENT NATIONS. HE ASSURED GALLASTEGUI THAT THE CEMETERY HAS NO "MILITARY" TRAPPINGS AND THAT THE WORD "MILITARY" DOES NOT APPEAR IN ITS NAME. (GALLASTEGUI QUICKLY POINTED TO THE WORDS "AMERICAN BATTLE MONUMENTS COMMISSION" IN THE SIGNATURE BLOCK OF THE PROPOSED MEMORANDUM OF UNDERSTANDING TO SUPPORT HIS CONTENTION.) THE AMBASSADOR THEN EXPLAINED THAT BOTH POSSIBILITIES FOR CONTINUED OPERATION GALLASTEGUI MENTIONED HAD BEEN STUDIED AND REJECTED BY ABMC. ON CONSTITUTIONAL POINT AMBASSADOR INQUIRED WHETHER 1917 CONSTITUTION WAS RETROACTIVE (ANSWER WAS NO); HE ALSO ASKED WHETHER AN EXCHANGE OF PROPERTY WOULD BE FEASIBLE AND EMPHASIZED THAT IN US VIEW IT WOULD BE PREFERABLE FOR GOM TO OWN AND RETAIN TITLE TO ANY LAND SO PROVIDED. THE AMBASSADOR STRESSED OUR EAGERNESS TO ASSIST THE GOM IN FINDING A SOLUTION TO ITS PROBLEM, BUT AT THE SAME TIME WE EXPECT THE MEXICANS TO FOLLOW THEIR TRADITION OF GRACIOUSNESS AND GENTILITY IN ASSISTING US IN THE DISPOSITION OF OUR WAR DEAD. THE AMBASSADOR WENT ON TO POINT OUT TO GALLASTEGUI THAT GOM ACTION WHICH FORCED USG TO REMOVE ITS DEAD INDECOROUSLY FROM MEXICO COULD HAVE AN IMPACT ON THE AMERICAN PUBLIC WHICH MIGHT RESULT IN SERIOUS DAMAGE TO THE RELATIONS BETWEEN THE TWO COUNTRIES. IN CONCLUSION, THE AMBASSADOR EXPRESSED HIS STRONG HOPE THAT GOM WOULD BE ABLE TO RECONSIDER THE VIEW EXPRESSED BY GALLASTEGUI AND THAT A SOLUTION TO THE PROBLEM SATISFACTORY TO BOTH COUNTRIES COULD BE FOUND. GALLASTEGUI, WHO WAS VISIBLY UPSET BY THE STRENGTH OF THE AMBASSADOR'S CONCLUDING REMARKS, SAID HE WOULD PASS HIS COMMENTS TO RABASA. (FOREIGN SECRETARY IS ATTENDING OAS GENERAL ASSEMBLY IN ATLANTA AND WILL NOT RETURN TO MEXICO UNTIL EARLY MAY. WE WOULD NOT BE SURPRISED IF GALLASTEGUI WERE TO CALL HIM TO DISCUSS THIS MATTER.)

4. COMMENT: WE FIND THE POSITION TAKEN BY GOM DIFFICULT TO UNDERSTAND AND SURMISE THAT IT MAY BE BASED ON INCOMPLETE KNOWLEDGE OF THE FACTS OF THE MATTER AND, PERHAPS, A TOO HASTY READING OF THE PROPOSED AND AGREED MEMORANDUM OF UNDERSTANDING DDF REGENT SENTIES SENT TO RABASA LAST JANUARY. IT IS ALSO POSSIBLE THAT THE MEXICANS FOCUSED ON THE WORDS "IN PERPETUITY" IN THE PROPOSED MEMORANDUM OF UNDERSTANDING AND REACTED NEGATIVELY IN THE LIGHT OF LIMITED OFFICIAL USE

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PAGE 03 MEXICO 03384 230117Z

RECENT STATEMENTS REGARDING THE PANAMA CANAL TREATY. AS FAR AS WE KNOW, DDF STANDS READY TO PROCEED WITH TRANSFER OF CEMETERY WITHIN MEXICO, BUT UNTIL HE RECEIVES "POLITICAL" CLEARANCE FROM FOREIGN RELATIONS SECRETARIAT SENTIES' HANDS ARE TIED. TO ASSIST IN FUTURE DEALINGS WITH GOM WE BELIEVE IT WOULD BE HELPFUL IF ABMC OR THE DEPARTMENT COULD ADVISE US WHETHER ANY US WAR DEAD REMAIN IN FORMERLY ENEMY TERRITORY AND WHETHER ANY FOREIGN GOVERNMENTS, ESPECIALLY THE MEXICANS, MAINTAIN CEMETERIES OR

MILITARY MEMORIALS ON US LANDS. AS A POINT OF INTEREST, WE ARE
CHECKING WITH FRENCH AND BELGIAN EMBASSIES HERE TO DETERMINE
DISPOSITION OF REMAINS OF TROOPS KILLED DURING THE EMPIRE
PERIOD IN MEXICO.
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